



CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

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David B. Cohen
Mayor

Public Hearing Date: January 15, 2008
Land Use Action Date: March 4, 2008
Board of Aldermen Action Date: March 17, 2008
90-Day Expiration Date: April 14, 2008

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Candace Havens, Chief Planner
Robert Merryman, Senior Planner *gh*

DATE: January 11, 2008

SUBJECT: Petition #390-07 of DINO ROSSI, MANAGER, DS PREFERRED PROPERTIES, LLC for a SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing single-family dwelling into two units and to construct 4 new attached dwellings with garages for a total of 6 units at 1235 BOYLSTON STREET, NEWTON UPPER FALLS, Ward 5, on land known as Sec. 52, Blk. 49, Lot 2, containing approx. 33,367 sq. ft. of land in a district zoned MULTI-RESIDENCE 1.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis that may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

EXECUTIVE SUMMARY

The petitioner is seeking approval of a special permit to build four (4) new attached dwelling units and to convert an existing single-family dwelling, which is an historically significant Greek Revival-style structure, into two units on a 33,367 square foot lot. The petitioner proposes 12 parking spaces, six within garages and six parked in tandem spaces. Vehicle access is being proposed over the petitioner's abutting lot, off Cragmore Road, which is presently under construction with a new two-family dwelling. The petitioner has indicated a willingness to include an affordable unit as part of this development.

Planning Department staff believes the proposed units are appropriate to the site and location. The units are within a Multi-Residence 1 District, which is comprised primarily of a mix of single- and two-family dwellings and is attractively landscaped. The site is within walking distance of the Upper Falls village center and MBTA's Eliot Green Line Station, so residents can take advantage of public transit and nearby amenities that complement denser development and can reduce reliance on vehicles. Overall, the development appears to be consistent with the housing and land use goals of the *Newton Comprehensive Plan*.

The proposed site and structure meet most of the dimensional requirements for attached dwellings in an M-R1 District; sideyard setback exceptions are requested for Unit #6 (closest to the rear of 16 Cragmore Road) and Units #1, 2, & 6 where they abut Lot 3 (an adjacent lot under common ownership). Although FAR is not applicable for this project, it is noted that it is .37 and is slightly less than the .4 FAR that would be permitted by right for a two-family dwelling. Planning Department staff's primary concern is that the units facing the aqueduct may be imposing when viewed from homes opposite the aqueduct because the change of topography emphasizes their height.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

In reviewing this petition, the Board should consider whether:

- the specific site is an appropriate location for six (6) attached dwelling units;
- subject Lot 2 and the abutting Lot 3 should be combined and the two units integrated into the new condominium association;
- the historic character of the existing single-family dwelling will be preserved within this development;
- the six attached dwelling units and associated new curbcut, driveway, reconfigured easement and parking areas will result in any vehicular or pedestrian safety concerns;
- the number of existing trees to be retained and proposed landscaping adequately screen the development from abutters;
- the alterations to the existing grade by more than three feet will have any adverse impacts on the abutters;
- the design, mass and scale of the proposed units and associated parking areas are appropriate to the site and character of the neighborhood; and
- the project as proposed is consistent with the *Newton Comprehensive Plan*.

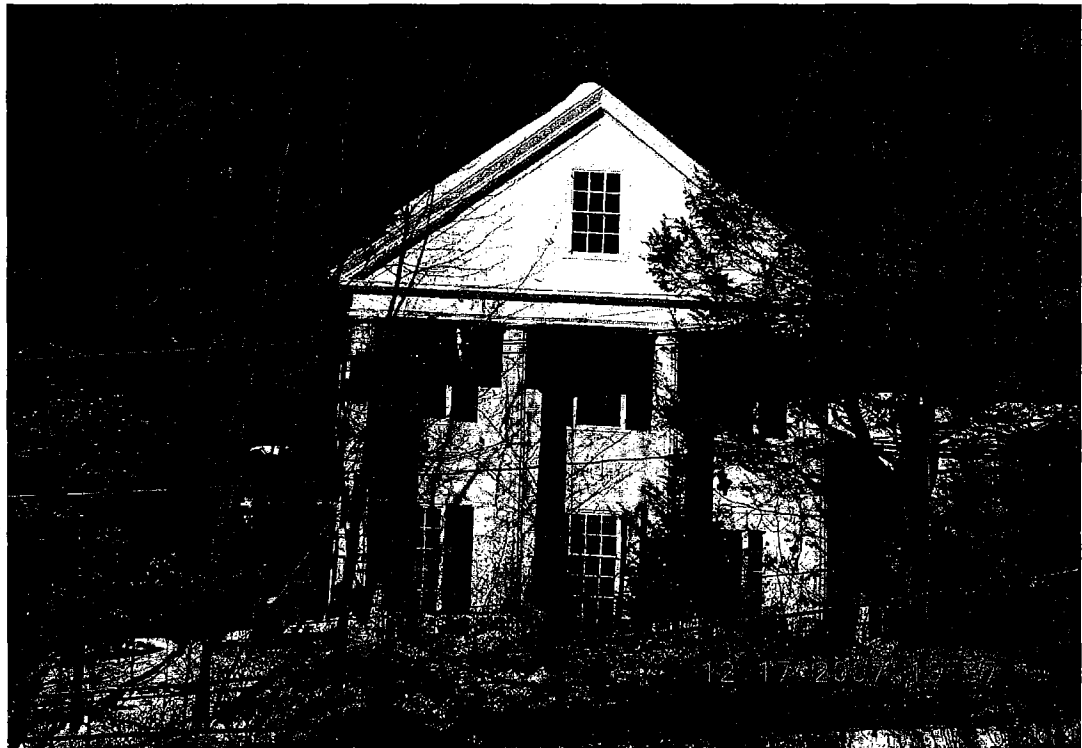
II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

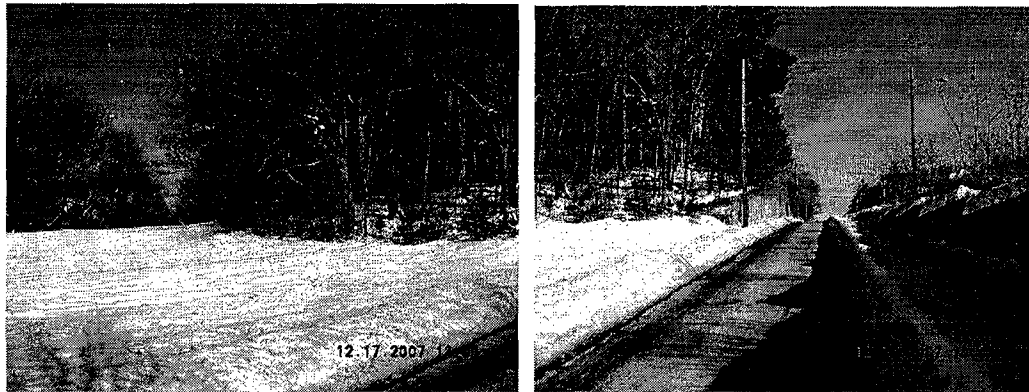
A. Site Characteristics

The subject property (Lot 2) consists of a 33,367 square feet located on the north side of Boylston Street (Route 9) at the corner of Cragmore Road and the Boylston Street access ramp. The property is a block east of Chestnut Street and is currently improved with two-story single-family residence built as a Greek Revival-style structure circa 1790.

The lot is relatively level along the Cragmore Road frontage, rises slightly within the first 100 feet, then slopes steeply towards the abutting Sudbury Aqueduct parcel to the west. Adjacent to the subject property, is another lot (Lot 3) under common ownership that is currently under construction. There is a right-of-way easement on Lot 2 that abuts Lot 3 that the petitioner proposes to reconfigure for a shared driveway to serve the units on Lot 2. There are a number of mature trees on the site that will be removed in this development.

Existing single family house at 1235 Boylston Street



Sudbury Aqueduct from Route 9 Rt. 9 Exit Ramp with property on left**B. Neighborhood and Zoning**

The subject property is located in the Newton Upper Falls Historic District on the north side of Route 9, one block east of Chestnut Street. The parcel is part of a sizable residential area that is zoned Multi-Residence 1 and Single Residence 3. The block itself consists of a mix of single- and multi-family (generally two-family) residential uses.

The site abuts a lot with two units under construction (Lot 3). There is a two-family dwelling next to Lot 3 and two 2-family residences across Cragmore Road to the east. West of the site are two 2-family residences located on the far side of the abutting (80 feet wide) aqueduct. The abutters to the south across Boylston Street (Route 9) are all single-family dwellings, as are the remaining homes on Cragmore Road to the north. The north side of Route 9 is within a Multi-Residence 1 District and the south side is within a Single Residence 3 District. Farther north is a large Single Residence 2 District and a large Multi-Residence 1 District is to the south. The aqueduct is within a Public Use Zone.

III PROJECT DESCRIPTION**A. Building design, colors, and materials.**

The existing single-family residence is believed to have been built around the 1790s and is considered to be "historically significant." While the structure was determined to be "preferably preserved," the City's Upper Falls Historic District Commission reviewed the plans and determined that proposed alternations, which include removal of two rear-facing sections of proposed Unit #3 and a freestanding shed on Lot 3, will not affect the historic structure (*SEE ATTACHMENT "D"*).

The petitioner has provided one-story column details on the entrances of all four new units. Although substantially smaller than columns on the existing building, they mimic the columns on the historic structure. Other details include wood clapboard siding, period garage doors and architectural shingles. The first floor façade of the historic structure contains floor-to-ceiling windows with nine panes

over nine panes (9X9). Windows on the new structure have 2X2 panes over one pane or 6 panes over 1 pane. The Upper Falls Historic District Commission granted preliminary approval of the proposed plans. Final plans and details are subject to review by the Commission.

Planning Department staff has concerns about the height and length of units #5 & 6. This two-unit structure is proposed to be constructed 8.5 feet from the aqueduct, will be 120 feet long, and will appear to be 3½ stories high from the two residences to the west. Although the varying offsets of the units and garages help break up the mass of the façade, the building length still appears excessive and the Planning Department recommends the petitioner consider further reduction in the length and height of Units #5 & 6; all the other units appear to be 2½ stories tall.

A new driveway of 16 feet in width will extend from Cragmore Road back approximately 185 feet to the last unit with a small turnout in front of Unit #6. The driveway entrance widens to 24 feet at the City sidewalk and the curb cut would be 27 feet in width (*as required by the Fire Department*). The petitioner is proposing a walkway that is four feet wide and appears to be flush with the driveway to ensure sufficient driveway width for emergency vehicles. The Planning Department recommends that the petitioner provide a material change between the driveway and the interior sidewalk (e.g., stone pavers or flush granite curbing with cement sidewalk) to visually separate the pedestrian and vehicle paths and improve safety while providing a wider path for fire suppression vehicles.

The petitioner is proposing two parking stalls on the site for each unit (12 total) including six garaged and six tandem spaces. All of the parking stalls appear to be adequately sized. Proposed Units #1, 2 & 6 will encroach upon the 25-foot side setback. However, the Planning Department acknowledges that Units #1 & 2 exceed the setback only where they abut Lot 3 and is therefore, are not of particular concern; if the lots are merged, these distances will no longer be considered encroachments.

The petitioner has submitted a lighting plan and appears to be in compliance with the City's Light Ordinance as set out in Section 20-23.

B. Landscaping.

Many mature trees surround the lot. The petitioner's plans depict removal of approximately 33 trees on Lot 2 (approximately 222 caliper inches) and at least 15 trees from his abutting Lot 3 (approximately 528 caliper inches). The submitted site plan depicts the existence of a 12-inch caliper street tree that will have to be removed to allow for the proposed curb cut; the Planning Department recommends it be replaced.

The petitioner also proposed to retain 24 existing trees (larger than 8" caliper) and is proposing to add four Red Maples, four Red Oak, two plane trees, seven Spruce trees, seven White Pines and ten Red Cedars. Ornamental tree plantings include

four Japanese Maples, five Pink Dogwoods, one Redbud, six Crab trees and a generous assortment of shrubs (239) and perennials (350).

Although the petitioner has added 10 new deciduous trees, 24 conifers and 16 ornamental trees (estimated 100 caliper inches) the total appear to be far less than the requirements of the City's Tree Preservation Ordinance. The petitioner should obtain and provide evidence of a Tree Removal Permit (including any payment necessary) from the City's Tree Warden prior to this item being scheduled for a Working Session.

The proposed landscape plan is generally sufficient when combined with existing screening, yet taller trees of larger calipers would help break up the mass of the project. The petitioner should concentrate additional evergreen tree plantings at the rear property line of 16 Cragmore Road and along the rear of Units #5 & #6 adjacent to the aqueduct to minimize the mass of those units, whose height will be emphasized by the slope.

The petitioner is proposing a six-foot fence to provide privacy at the rear of 16 Cragmore Road. A six-foot fence also is proposed along the Route 9 frontage that tapers to a three-foot picket fence in front of the historic structure so the building can be more easily viewed.

The petitioner has not indicated where trash will be stored for collection. The petitioner should be expected to provide further information on this subject at the upcoming Public Hearing. The petitioner should also clarify how snow removal will be handled.

C. Grading.

The plan depicts grade alterations of more than 60% of the site, although only about 265 square feet will change by more than three feet. The only areas not excavated are the southwest corner of the lot from the existing dwelling towards Route 9 and the aqueduct, and a small 30-foot wide triangle in the northernmost corner. The plans also depict 15 mature trees to be removed from this unexcavated area.

IV. COMPREHENSIVE PLAN

The Planning Department has reviewed the proposed petition in light of the *Newton Comprehensive Plan*, approved by the Board of Aldermen in December 2007. The *Newton Comprehensive Plan* suggests that housing opportunities should be found in areas that can support high-density multi-family uses. Proposed development of the subject property appears to be consistent with this provision. It is considered within walking distance to the Upper Falls village center and MBTA Eliot Station and offers the option to use public transit and other amenities.

One of the other goals of the *Newton Comprehensive Plan* is to maintain and add to the economic diversity of housing in the City, particularly for those people who cannot afford to buy housing in Newton (given median housing values), but also who do not qualify for available affordable housing units. Inclusion of affordable housing in this project will further the City's stated goals. The Planning

Department believes the residences in attached dwellings are appropriate to the site and will preserve existing housing stock as well as neighborhood character.

V. TECHNICAL REVIEW

A. Inclusionary Units (Section 30-24(f)(3))

Section 30-24(f)(3) requires that 15% of the total number of units, in this case one (1) unit, be designated for affordable housing where a special permit is required for development. Section 30-24(f)(4) allows an applicant to make a cash payment in lieu of providing an affordable unit when the total number of dwelling units proposed in the development does not exceed six units. As noted, the adjacent property off Cragmore Road is under common ownership and a right-of-way easement located on Lot 3 is proposed to be reconfigured and paved as a driveway for access to Lot 2. This configuration suggests a relationship between properties that functions like an eight-unit development, despite the fact that they remain separate lots of record. An 8-unit proposal would require donation of one housing unit to the City. The petitioner has indicated a willingness to provide an affordable unit as part of this development and in so doing, will meet the intent of the affordable housing laws and support the City's housing goals.

B. Dimensional Controls (Section 30-15)

The following table compares the proposed six-unit attached dwelling development to the technical requirements in Section 30-15 as follows:

Attached Dwellings in Multi-Residence 1 (by special permit)	Required (for Attached Dwellings)	Existing	Proposed
Minimum lot size	15,000 sq. ft.	33,367 sq. ft.	33,367 sq. ft.
Minimum lot area per unit	4,000 sq. ft.	33,367 sq. ft.	5,561 sq. ft.
Frontage	80 ft.	295 ft.	295 ft.
Setbacks			
Front	25 ft.	36.5 ft.	26 ft.
From lot in front	25 ft.	N/A	22.3 ft.
Side (north)	25 ft.	36 ft.	0 ft.
Rear (To Aqueduct).	No Setback Required	48.9 ft.	7.4 ft.
Building height	30 ft.	29.4 ft. (Unit #4)	29.2 ft. (Unit #5)
Max. # of stories	2½ stories	2 ½ stories	2½ stories
Max. Floor Area Ratio (FAR)	0.4	0.096	0.37 Not Applicable
Max. lot coverage	25 %	6.4 %	23.9 %
Min. open space	50 %	>90 %	64.5 %
Min. driveway side setback	10 ft.	N/A	0 ft.

As illustrated above, the proposed site and buildings meet the dimensional requirements for attached dwellings in a M-R1 District. Exceptions to setback requirements are needed for Unit #6 (where the front of the lot abuts the rear of 16 Cragmore Road) and the proposed setbacks of Units #1, 2 & 3 from Lot 3.

NOTE: Most of the relief requested is for establishing legal setbacks from the petitioner's abutting lot. If Lots 2 and 3 are combined as one lot, the only relief necessary from Section 30-15 Table I, would be for the front setback of the vestibule for Unit #1 (on the Cragmore Road side) and the 25-foot setback from the rear lot line of 16 Cragmore Road for proposed Unit #6.

Section 30-15, Table 1, establishes the FAR of 0.4 for single- and two-family dwellings in the M-R1 District, but provides no maximum limit for attached dwellings, allowed by special permit. The maximum FAR allowed is subject to the discretion of the Board of Aldermen, pursuant to the special permit review and approval process. The proposed FAR for this project is 0.37, which is less than the as-of-right FAR that would be permitted for construction of a two-family dwelling.

C. Parking Requirements (Section 30-19)

The following chart illustrates how the proposed project meets the applicable parking requirements for the proposed six-unit attached dwelling development in a Multi-Residence 1 District:

1235 Boylston Street Parking Analysis	Ordinance	Proposed
Min. # of Parking Stalls	12	12 (6 Tandem)
Tandem Parking Stalls	Allowed by Special Permit	6 stalls
Setbacks Front Side Rear	25 ft. 25 ft. 25 ft.	4 Tandem Stalls & 3 Garage spaces are within the side yard setback
Min. Driveway Setback	10 ft.	0 ft.
Min. Stall Dimensions	9 ft. x 19 ft.	9 ft. x 19 ft.
Handicapped Parking Stall	1 stall	None
Driveway	24 ft.	16 ft.
Entrance/Exit Drives	25 ft. (max)	27 ft.

As shown in the table above, the proposed project needs relief from the off-street parking requirements established in Section 30-19 for four tandem and three garage stalls, the driveway setback, driveway width and driveway entrance width. The petitioner also needs permission from the Board for the six tandem stalls.

Unfortunately, the garages and driveways for the two units on Lot 3 have direct access off of Cragmore Road and are unable to take advantage of possible shared access from the driveway proposed to serve Lot 2.

D. Other Department Comments

Fire Department. The Assistant Fire Chief reviewed the site plans for accessibility and water supply and recommends the following: 1) the petitioner install a sprinkler system within Units #5 and 6; 2) grass pavers be used to extend the hammerhead turnaround, provided they can handle the weight of the fire apparatus; and 3) a condition be placed in the Board Order prohibiting parking in the driveway. The Fire Department prefers a 24-foot drive and 27-foot apron for ease of access.

Engineering. See memorandum from the Associate City Engineer dated January 11, 2007 (*ATTACHMENT "B"*).

E. Summary of Zoning Reliefs Requested

Based on the Chief Zoning Code Official's (CZCO) written determination, dated October 25, 2007 (*SEE ATTACHMENT "A"*), the petitioner is seeking relief from or approvals through the following sections of the Zoning Ordinance:

1. Section 30-9(b)(5) to grant a special permit in a Multi-Residence District for six single-family attached dwellings in three groups;
2. 30-15, Table 1 & 30-9(b)(5)b) to grant a special permit to reduce the setback to less than 25 feet for Units # 1,2&6 as well as the garages for Units #3&4;
3. Section 30-5(b)(4) to grant a special permit for a grade change in excess of three feet;
4. Section 30-19(m) which allows the Board of Aldermen to grant a special permit to allow for exceptions to the dimensional requirements for parking if it is determined that compliance is impracticable due to the nature of the site and that such exceptions would be in the public interest. The following waivers are required through this section:
 - a. Sec. 30-19(f)(1)&(2) for one tandem parking stall at Unit #1 to be located within an easement on Lot 3;
 - b. Sec. 30-19(h)(1) stall setback requirement five feet from a dwelling;
 - c. Sec. 30-19(h)(2)(c) requirement for handicapped parking stall;
 - d. Sec. 30-19(j)(2)(f) requirements for provision of handicapped ramps;
 - e. Sec. 30-19(h)(3)(b) to reduce the driveway width to 16 feet on the subject lot and within an easement on Lot 3;
 - f. Sec. 30-19(h)(4)(b) to increase the driveway entrance width to 27 ft. on the subject lot and within an easement on Lot 3;
 - g. Sec. 30-9(b)(5)(a)&(b) to reduce the driveway setback requirement from ten to zero feet;
 - h. Sec. 30-19(h)(5)(a) for six tandem parking stalls for attached units; and
 - i. Sec. 30-9(b)(5)(a)&(b) for three tandem parking stalls within the setback.
5. Section 30-23 for approval of proposed site plans including easement area and landscape plan; and
6. Section 30-24(d) for approval of special permit required by Sec. 30-9(b)(5)(b).

F. Summary of Petitioner Responsibilities

At the public hearing the Petitioner should be expected to respond to all issues raised by the Associate City Engineer, Fire and Planning Departments. Prior to the working session the, staff requests the petitioner submit:

1. a detail of the proposed sidewalk and new retaining walls.
 2. proof of permission to trespass on the MWRA's Sudbury Aqueduct during construction of the retaining wall.
 3. proof of compliance with the Tree Preservation Ordinance.
 4. plans that indicate use of EnergyStar-rated appliances with in all units, including the abutting two-family on Lot 3.
 5. an offer of one subsidized unit to the City with equivalent EnergyStar interior appliances.
 6. revised plans that show merger of the two lots under common ownership
 7. floor and façade plans for Lot 3, including colors and materials.
 8. revised landscape plan that includes screening of HVAC units and additional evergreen trees along the aqueduct and behind the existing house at 16 Cragmore Road to break up the massing of Units #5 & 6 from the view of abutters.
 9. a Construction Management Plan.
 10. evidence of a Tree Removal Permit (including any payment necessary) from the City's Tree Warden.
 11. information about how trash storage/collection and snow removal will be managed.
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ATTACHMENTS:

ATTACHMENT A: Zoning Review Memorandum, dated December 4, 2007

ATTACHMENT B: Memorandum from Associate City Engineer, dated January 11, 2007

ATTACHMENT C: Letter from Asst. Fire Chief, Bruce Proia, dated December 21, 2007

ATTACHMENT D: Record of Action, Newton Upper Falls Historic District Commission, May 6, 2007

ATTACHMENT E: Contour Map

ATTACHMENT F: Zoning Map

ATTACHMENT G: Site Plan of Lot 3, #8-10 Cragmore Road

Zoning Review Memorandum

ATTACHMENT A

Dt: October 25, 2007

To: Ellis Heights Realty Trust, represented by S. Buchbinder, Esq.

Fr: Juris Alksnitis, Chief Zoning Code Official

Cc: Michael Kruse, Director, Department of Planning and Development
John Lojek, Commissioner of Inspectional Services

Re: **Proposed 6 dwelling attached unit development**

Applicant: S. Vona & D. Rossi, Trustees, Ellis Heights Realty Trust

Site: 1235 Boylston St. & 0 Cragmore Rd.

SBL: Section 54, Block 49, Lots 2 and 3

Zoning: Multi-Residence 1

Lot Area: L2 33,130 sq. ft. per GIS
33,367 sq. ft. per plan

Current use: Single-family dwelling

Prop. use: 6 att. dwelling units

Background:

The petitioner seeks to redevelop a lot currently containing a single-family dwelling and an adjacent lot formerly containing a shed. While a prior iteration of development plans contemplated the merging of the two lots and developing the site as a whole, current plans seek to develop each lot separately. The SF dwelling on Lot 2 will be converted to 2 Att. DU and an additional 4 Att. DU are proposed for a total of 6 Att. DU. The subject development requires a special permit pursuant to the Newton Zoning Ordinance, Sec. 30-9(b)(5) and 30-24. In addition, the applicant plans to build a two-family dwelling on the adjacent Lot 3 and was issued Building Permit #07090492 on 10/10/07 pursuant to as-of-right building permitting procedures. Lot 3 will also contain an easement for driveway and pedestrian access from Cragmore Rd. to the subject site on Lot 2, as well as portions of front yard areas associated with certain proposed attached dwelling units on Lot 2.

Administrative determinations

1. Based on information provided by the applicant, the proposed development will be largely located on Lot 2, with partial overlap onto adjacent Lot 3. It is also noted that Lot 3 will be developed separately for a two-family dwelling as of right. The petitioner is responsible for resolving any lot size differences between submitted documents showing the site as having 33,367 sq. ft. and the City's GIS system, which indicates an area of 33,130 sq. ft. The noted variation in site area does not affect the results of site analysis for compliance with applicable density and dimensional controls as discussed below. The following analysis is based upon the submitted plans and information referenced in Plans and materials reviewed, below.
2. As the mutual lot line between Lots 2 and 3 will remain, the layout of the proposed development will necessitate multiple zoning reliefs on the Lot 2 side pursuant to Section 30-9(b)(5)b), including significant reduction of certain setbacks, including in one case, a setback 0.0 ft. at Unit #2. Moreover, portions of front yard areas at Unit #1 and Unit #2 (including front landing step) would be located across the lot line on Lot 3 within the proposed easement area. This type of site plan layout is unusual, but is possible subject to the discretion of the Board of Aldermen pursuant to the site plan review and approval process, subject to approval of all related and necessary zoning

reliefs, and subject to such special permit conditions the Board may impose regarding the location of site elements on adjacent property.

3. The Massachusetts Water Resources Authority (MWRA) is the state agency owning and operating the Sudbury Aqueduct, which at present serves a back-up function in the region's water transport system, and is located within the adjacent parcel to the west. Along with City-owned property, the Cochituate and Sudbury Aqueducts were unzoned for many years until 1987, when unzoned property was placed in the Public Use zone. In addition, *Section 30-1, Lot line*, states "... the line between land of the Commonwealth used as an aqueduct ... and adjoining land formerly an aqueduct shall not be termed a lot line. " However, *Section 30-1, Setback line*, requires a "lot line" in order to establish a "setback line". As a result, it is not possible to make a setback measurement from the Sudbury Aqueduct property line for the purposes of zoning, in effect eliminating the setback requirement along this property line. While the buildings, decks, and HVAC units shown on plan are all closer to the subject boundary line than otherwise typically allowed for attached dwelling units, no relief is required due to the aqueduct exception.
4. The subject property is located in an MR-1 zone, which accommodates single-family and two-family dwellings as of right; and attached dwelling units subject to grant of a special permit and subject to meeting certain dimensional requirements as established in *Section 30-9(b)(5)*. Attached dwelling units are also subject to the respective applicable requirements per *Section 30-15, Table 1, Density & Dimensional Controls in Residence Districts and for Residential Uses* (Table 1). In addition, the proposed development must satisfy applicable parking requirements as established in *Section 30-19*, secure site plan approval, and obtain a special permit from the Board of Aldermen per *Sections 30-23 and 30-24*.
5. Submitted plans indicate that the proposed 6-unit development satisfies *Section 30-1, Definitions, "Dwelling, attached"* (See Ordinance X-38). Table 1 requires a 25 ft. setback on all sides in the MR-1 zone, but proposed plans indicate that the development does not meet the 25 ft. setback requirements at Units #1, 2, and #6 and at the two-car garage. While the petitioner may seek relief pursuant to *Section 30-9(b)(5)b* for exceptions to reduce the respective setbacks, he must also provide an explanation to the Board of Aldermen as to how such relief meets one or more of the required criteria enumerated in (5)b).
6. *Section 30-5(b)(4)* requires a special permit whenever "...the existing contours of the land are to be altered by more than three (3) feet." Submitted plans indicate the proposed work will involve re-grading an area of approximately 265 sq. ft. with changes in topography exceeding three feet up to seven feet, as noted on plan, which will require Board of Aldermen approval as noted above.
7. *Section 30-15, Table 1*, establishes the FAR of 0.4 for 1F development in the MR-1 zone, but provides no limit applicable to attached dwellings. Submitted plans indicate that the total FAR for the overall development is approximately 0.37. The total FAR allowed is subject to the discretion of the Board of Aldermen pursuant to the site plan review and special permit approval process.
8. *Section 30-19(d)(2)* establishes the number of parking stalls required by the proposed development as twelve (12) spaces. Submitted plans propose 12 conforming spaces of which 6 are located within proposed garages, and 6 are tandem spaces in drives to garages. Unlike SF and 2F units, tandem parking is not available for attached dwelling units and in any event do not meet the layout provision in *Section 30-19(h)(5)* for direct vehicle access to a parking stall. The proposed tandem spaces necessitate a waiver pursuant to *Section 30-19(m)*.

9. *Section 30-19(h)(2)c*, establishes the applicable handicapped parking requirements for parking facilities with six or more stalls. *Section 30-1, Definitions*, states that a *Parking facility* is "A building, structure, lot or part of a lot where off-street parking is provided or permitted." As six external parking stalls are provided, one HP space is required, yet none has been provided. While the petitioner may seek a waiver from the above HP requirement pursuant to 30-19(m), it is suggested plan alterations be considered so as to properly accommodate HP needs. In addition, while *Section 30-19(j)(2)f* requires that 3 ft. wide ramps be provided to accommodate the movement of handicapped individuals, plans do not indicate any provision for HP persons. It is suggested plan alterations be considered to provide for HP mobility and accessibility, or the petitioner may seek a waiver pursuant to 30-19(m).
10. *Sections 30-9(a)(1)* in conjunction with *30-8(b)(7)* together with *30-9(b)(5)a*, *30-15(m)(5)* and *30-19(h)* establish the applicable garage, parking stall, and driveway dimensional and setback requirements. While the proposed garages and parking stalls meet the applicable dimensional requirements, the proposed driveway is narrower than the 24 ft. width required for two-way traffic and the driveway entrance exceeds the maximum 25 ft. width at Cragmore Rd. These dimensions necessitate waivers per *Section 30-19(m)*.
- In addition, three (3) surface parking spaces are located within 20 ft. of a boundary line at Units #1, 2, and 3, also requiring a waiver per *Sections 30-9(b)(5)b* and *30-19(m)*. Moreover, as previously noted, initial driveway access is through an easement on the adjoining Lot 3. As a result, the driveway configuration and certain individual garage drives encroach within the 10 ft. driveway setback established by *Section 30-9(b)(5)a*, requiring relief pursuant to *Section 30-9(b)(5)b* and *30-19(m)*. Finally, five (5) spaces at units #1,2,3, 5 & 6, are located within 5 ft. of a dwelling (separation distance established in *Section 30-19(h)(1)*), necessitating a waiver per *Section 30-19(m)*.
11. *Section 30-19(f)(1)* requires that parking be provided on the same lot with the principal use served. However, part of the tandem stall at Unit #1 is located within the easement on adjacent Lot 3. This condition requires approval by the Board of Aldermen pursuant to *Section 30-19(f)(2)*.
12. *Section 30-19(i)(1)* establishes the applicable parking perimeter screening requirements for outdoor parking facilities. As the outdoor tandem spaces are immediately adjacent to the associated garages, the perimeter screening requirement articulated in subparagraph (i)(1)a) does not apply in this case.
13. *Section 30-19(j)(1)* establishes the applicable lighting requirements for parking facilities. As the outdoor tandem spaces are immediately adjacent to the associated garages, the area-wide lighting requirement articulated in (j)(1)a) does not apply in this case. The applicant's attorney has also stated that the applicant intends to provide conventional garage and home type lighting and not streetlights. In any event, the applicant is responsible for meeting the respective requirements of Ordinance X-142, Light Ordinance, as set out in *Sections 20-23 through 20-28* with respect to *Light Pollution* and *Light Trespass*, pertaining to the site overall. While no photometric plan has been submitted indicating proposed illumination levels, the applicant has indicated that a photometric plan will be submitted with the petition to the Board of Aldermen.
14. *Section 30-19(k), Bicycle Parking Facilities*, and *Section 30-19(l), Off-street Loading Requirements* are not applicable to this development.
15. *Section 30-23(b)(6)* in conjunction with *Section 30-24(a)* requires the submittal of a landscape plan, which has been not been provided for the current revised development plan. Such plan

would need to provide a schedule of plant materials as well as to address the replacement of any trees having significant caliper and slated to be removed. The petitioner is responsible for complying with Sections 20-31 through 20-39, *Tree Preservation Ordinance*, and for providing documentation of approval by the Tree Warden not later than at the time of filing the petition with the Board of Aldermen. The applicant's attorney has indicated the applicant intends to submit a landscape plan with the petition to the Board of Aldermen.

16. *Section 30-24(f)(3), Inclusionary Units*, requires that 15% of total units be designated for affordable housing where a special permit is required for development, unless the development involves a building subject to *Section 22-44, Demolition Delay Ordinance*, administered by Newton Historical Commission, in which case the 15% is based on net new units. Although the applicant believes that the net number of new units applies since the existing dwelling is located in the Newton Upper Falls Historic District, the City's Law Department has indicated that the reference to net new units is specific to Section 22-44 only. In this case, the number of affordable units would be 1 unit whether based on six (6) total units or five (5) net new units.

In addition, the applicant's attorney has stated that the applicant intends to provide a cash payment and seeks to do so based on the 5 net new units. However, the City's Law Department has confirmed that *Section 30-24(f)(4), Cash Payment*, is in any case based on the total and not the net new units for the purposes of calculating the cash payment amount. It is suggested the applicant work with the Newton Housing Office in order to meet the pertinent inclusionary housing requirements.

17. *Section 30-20, Signs and Advertising Devices*, establishes the applicable sign requirements. As the petitioner has not submitted any sign plans, it appears that no signs are contemplated at this time. However, should this change in the future, the petitioner is responsible for following the procedures and requirements pertaining to the review, approval, and permitting of signs as established in Section 30-20.
18. While the applicant has submitted no information regarding fencing, the petitioner is responsible for ensuring that any proposed fencing will meet the requirements of *Section 20-40, Regulation of Perimeter Fences*. The applicant's attorney has indicated the applicant intends to submit a detail of proposed fencing at the time of filing the petition with the Board of Aldermen.
19. The existing 1F located on Lot 2, is located within the Newton Upper Falls Historic District and is subject to District regulations. The *Newton Upper Falls Historic District Commission* reviewed the project at a public hearing on May 10, 2007. Subsequently, the UFHD Commission took several actions as follows:
- Issued preliminary approval of proposed plans subject to certain conditions stated in the Record of Action, May 16, 2007.
 - Approved a Certificate of Appropriateness for the demolition of the 20th century one-story addition.

In addition, the existing early 20th century shed on adjacent Lot 3 (0 Cragmore Rd.) located outside, but within 150 ft. of the UF Historic District, is subject to *Section 22-44, Demolition Delay* provisions that apply to buildings over 50 years old. The *Newton Historical Commission* reviewed the shed on May 12, 2005 and deemed it to be "not preferably preserved".

20. See "Zoning Relief Summary" below.

Zoning Relief Summary		
Ordinance		Action Required
	Building	
30-15, Table 1 30-9(b)(5)b)	Approval to reduce setbacks from 25 ft. to 7.6 ft. and 4.9 ft. at Unit #1, to 0.0 ft. at Unit #2, and to 20.2 ft. at Unit #6.	X
30-15, Table 1 30-9(b)(5)b)	Approval to reduce setbacks from 25 ft. to 17 ft. at garage designated for Units #3 & #4.	X
	Use	
30-9(b)(5)	Approval of 6 single family attached dwellings in three groups in the MR-1 zone.	X
	Driveway	
30-19(h)(3)b) 30-19(m)	Waiver to reduce width for two-way traffic from 24 ft. to 16 ft. width within Lot 2.	X
30-19(h)(3)b) 30-19(m)	Waiver to reduce width for two-way traffic from 24 ft. to 16 ft. width within access easement on Lot 3.	X
30-19(h)(4)b) 30-19(m)	Waiver to increase maximum driveway entrance width from 25 ft. to approx. 27 ft. width at Cragmore Rd. leading to access easement on Lot 3 as shown on plan.	X
30-9(b)(5)a) 30-9(b)(5)b) 30-19(m)	Waiver to reduce driveway setback for from 10 ft. to 0.0 ft. at multiple locations within Lot 2, as shown on plan.	X
	Parking	
30-19(f)(1) & (f)(2) 30-19(m)	Special permit to allow portion of tandem space at Unit#1 to be located within easement on adjacent Lot 3.	X
30-19(h)(1) 30-19(m)	Waiver to reduce required 5 ft. parking-dwelling separation distance to various lesser distances with respect to outdoor stalls at Units #1, #2, #4, #5, and #6, as shown on plan.	X
30-19(h)(2)c) 30-19(m)	Waiver to eliminate 1 required HP space.	X
30-19(j)(2)f) 30-19(m)	Waiver to eliminate requirement for HP ramps.	X
30-15(d)(1) 30-19(h)(5)a) 30-19(m)	Waiver to allow 6 tandem parking spaces serving attached dwelling units.	X
30-9(b)(5)a) 30-9(b)(5)b) 30-19(m)	Waiver to reduce boundary setback for three tandem surface parking stalls from 20 ft. to 0.0 ft. at Unit #1, to 0.5 ft. at Unit #2, and to 11.5 ft. at Unit #3, as shown on plan.	X
	Site	
30-5(b)(4); 30-23	Approval of grade change in excess of 3 ft. per plan.	X
30-23	Approval of landscape plan, including such landscaping as may be required by the Board of Aldermen within the proposed easement area on Lot 3.	X
30-23	Approval of site plan, including portions of front yard areas of Units #1 and #2 on Lot 3 within the proposed easement area, including but not limited to steps, walks, and lawn.	X
	Signs	
30-20(l)	N/A	
	Special Permit	
30-9(b)(5)b) 30-24(d)	Approval of special permit.	X

Plans and materials reviewed:

- Record of Action, Newton Historical Commission, May 17, 2005, Shed at 0 Cragmore Rd.
- Record of Action, Newton Upper Falls Historic District Commission, May 16, 2007, Dwelling at 1235 Boylston St., approving Certificate of Appropriateness for demolition of 20th century one-story addition.
- Record of Action, Newton Upper Falls Historic District Commission, May 16, 2007, plans for development of 1235 Boylston St./0 Cragmore Rd, issuing preliminary approval subject to conditions as stated.
- Plan set titled "Ellis Heights, 1235 Boylston St., Newton, MA", dated 8/28/07, prepared by Aesthetic Images, Architects/Planners, 7 Stimson St., Boston, MA 02132, stamped and signed by Steven J. Petipas, Registered Architect, consisting of the following:
 - Title Sheet
 - Sheet A1 – Units 1 & 2, Basement & First Floor Plans
 - Sheet A2 – Units 1 & 2, East & West Elevations, Second Floor and Attic Plans
 - Sheet A3 – Units 1 & 2, North & South Elevations
 - Sheet A4 – Units 5 & 6, Basement & First Floor Plans
 - Sheet A5 – Units 5 & 6, Second Floor & Attic Level Plans
 - Sheet A6 – Units 5 & 6, East & West Elevations
 - Sheet A7 – Units 5 & 6, North & South Elevations
 - Sheet A8 – Units 3 & 4 Floor Plans
 - Sheet A9 – Units 3 & 4 Elevations
 - Sheet A10 – Building Sections & Wall Types
- Plan titled "Area Plan of Land in Newton, MA, Ellis Heights, 1235 Boylston St.", dated Aug. 28, 2007, prepared by Everett M. Brooks Co., Surveyors & Engineers, 49 Lexington St., West Newton, MA 02465, stamped and signed by Bruce Bradford, Professional Land Surveyor
- Plan titled "Existing Conditions Plan of Land in Newton, MA, 1235 Boylston St.", dated May 3, 2007, prepared by Everett M. Brooks Co., Surveyors & Engineers, 49 Lexington St., West Newton, MA 02465, stamped and signed by Bruce Bradford, Professional Land Surveyor.
- Plan set titled "Ellis Heights, 1235 Boylston St., Newton, MA", dated Sept. 5, 2007, prepared by Everett M. Brooks Co., Surveyors & Engineers, 49 Lexington St., West Newton, MA 02465, stamped and signed by Bruce Bradford, Professional Land Surveyor, consisting of the following:
 - Sheet 1 of 4 – Preliminary Site Plan
 - Sheet 2 of 4 – Preliminary Setback Plan
 - Sheet 3 of 4 – Preliminary Parking Plan
 - Sheet 4 of 4 – Preliminary Fire Access Plan
 - Detail of Stone Wall, October 23, 2007 (not stamped or signed)
- Plan titled "Site Plan of Land in Newton, MA, Cragmore Rd.", dated Sept. 18, 2007, prepared by Everett M. Brooks Co., Surveyors & Engineers, 49 Lexington St., West Newton, MA 02465, stamped and signed by Bruce Bradford, Professional Land Surveyor and Michael B. Kosmo, Registered Civil Engineer.

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Alderman George Mansfield, Land Use Committee Chairman

From: John Daghljan, Associate City Engineer

Re: Special Permit – 1235 Boylston Street

Date: January 11, 2008

CC: Lou Taverna, PE City Engineer (via email)
Candice Havens, Chief Planner (via email)
Linda Finucane, Associate City Clerk (via email)
Bob Merryman, Planner (via email)

In reference to the above site, I have the following comments for a plan entitled:

*Ellis Heights 1235 Boylston Street
Newton, MA
Prepared by: Everett M. Brooks Company
Dated: December 18, 2007*

Drainage & Construction Management:

1. Some on site soil evaluation has been performed to obtain the seasonal high groundwater elevation, and percolation rate in accordance to Title V. However, additional testing will be required for the various proposed drainage systems. Each test shall be within (20') of the proposed system.
2. A drainage analysis has been performed based on the City of Newton's 100-year storm event of 7-inches over a 24-hour period; however, there are some issues that need to be clarified by the Engineer of Record. Based upon the calculations not all runoff from the impervious areas have been included in the sizing of the various systems. Specifically not all roof runoff is being collected and directed to on site systems. The following is a break down for each system:

System #	Calculated Impervious Area (Acres) / Square Feet	Actual Impervious Area (Acres) / Square Feet	Assumed Cn	Reviewers Cn Value
2	.04 ac / 1,742 sf	.06 ac / 2,614 sf	okay	okay
3	.02 ac/ 871 sf	.05ac/ 2,178 sf	okay	okay
4	.02ac / 871 sf	.03ac / 1,307 sf	okay	okay
5	.07 ac/ 3,049 sf		79	95

3. The Pre and Post construction calculations are also using two different intensities; the calculation should only be utilizing one intensity for both Pre & Post conditions. This calculation is not accurate as the site is being considered as one watershed for pre & post conditions. In post construction, the site now has multiple watersheds being created due to recontouring of the land and redirecting of runoff. The engineer of record should submit a detailed *Pre & Post* watershed map to verify the drainage assumptions.
4. Although the site plan specifies proposed “permeable pavers” for the driveways in front of the units, and a lower coefficient of runoff is assumed; it has been this reviewers experience that within five years these “permeable” pavers perform as impervious due to a lack of maintenance, deposition of sand, silt, mud, dust on the surface and joints of the pavers; therefore a higher coefficient of runoff should be assigned for the drainage calculations for these areas.
5. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to drafted and adopted by a Homeowners Association, incorporated into the deeds of the proposed development; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
6. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all apparentness including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the Homeowners Association.
7. A stabilized construction entrance is needed to ensure that construction vehicle exiting the site do not deposit mud and silt on the City streets.

Water:

1. Base upon the City of Newton's Utilities Division Policy, the 6-inch ductile iron service connection shall be extended off the City's Water Distribution system, then brought onto the property to a common heated utility room with a master meter; from there on the individual units can then be sub-metered by the Homeowners Association. The Homeowners Association would receive one bill from the City for total water consumption. The water extension from the City main to the meter shall be considered a service connection, owned by the Homeowners Association.
2. The proposed units #3 & 4 are within the existing dwelling that will be renovated, based upon the City's policy; both the water service and sewer connection must be updated. The current service connections were installed in 1902 (sewer) & 1933 (water) respectively.

Sewer:

1. The proposed 6" PVC pipe shall be increased to an 8" diameter SDR 35 PVC pipe. The 6" diameter pipe is the minimum for individual service connections.
2. The profile has a minor error in the layout, Station 0+00 (point of beginning) shall be at the existing sanitary sewer manhole within Cragmore Road, and station 2+20 is at the last proposed sanitary sewer manhole.
3. The existing water & sewer services to the dwelling shall be cut and capped at the respective mains and be completely removed from the site and properly back filled. The Engineering Division must inspect this work; failure to having this work inspected my result in the delay of issuance of the Utility Connection Permit. This will require a MassHighway Permit as Boylston Street is a state road.

Access:

1. The location of the proposed curb cut (driveway apron) will require the removal of a City Tree that is not shown on the site plan. A Public Hearing with the City Tree Warden will have to be conducted for the removal of this tree.
2. The existing cement concrete sidewalks and pedestrian curb cuts (a.k.a. HP Ramps) should be updated to current standards along the entire perimeter of this property. This will require a reciprocal curb cut on Cragmore; furthermore, all work along Boylston Street will require a MassHighway Permit as Boylston Street is a state road.

Solid Waste & Recycling:

- The issue of trash collection needs to be addressed, it is strongly recommended that the applicant meet with Ms. Elaine Gentile, Director of Environmental Affairs and clarify the requirements of where trash & recycling receptacles will be placed on collection day.

General:

1. Will the existing retaining wall be altered or updated, the wall should be evaluated by a structural engineer, as there are several cracks in the wall.
2. What is the material for the proposed retaining wall along the Aqueduct? As a courtesy the applicant should submit a set of plans to the Massachusetts Water Resource Authority (MWRA) for their review and comments of this proposed wall.
3. All tree removal shall comply with the City's Tree Ordinance.
4. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility in question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*
5. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*

6. The applicant will have to apply for a Building permits with the Department of Inspectional Service prior to any construction.
7. Prior to Occupancy permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*
8. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work. *This note must be incorporated onto the site plan.*

If you have any questions or concerns please feel free to contact me @ 617-796-1023.



David B. Cohen
Mayor

CITY OF NEWTON, MASSACHUSETTS
FIRE DEPARTMENT HEADQUARTERS

1164 Centre Street, Newton Center, MA 02459-1584
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230
FAX: (617) 796-2211 EMERGENCY: 911



Joseph E. LaCroix
Chief

Alderman George Mansfield
Land Use Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, Ma 02459

December 21, 2007

Re: 1235 Boylston Street

Dear Mr. Mansfield,

We have reviewed the site plans for 6 the unit development at 1235 Boylston Street. This is to advise you that the Newton Fire Department has stamped the plans and approves the site layout with the following conditions:

- Units 5 and 6 have a sprinkler system installed in accordance with NFPA 12D.
- A no parking provision in the driveway leading to the back units.
- Grass pavers are used to extend the hammerhead turnaround.

We will of course be reviewing the plans relative to Fire Prevention matters during the building permit process.

Sincerely,

Bruce A. Proia
Assistant Chief of Operations

Cc: Steve Buchbinder, LLP
Deputy Chief James Thorne, Fire Prevention
Candace Havens, Planning and Development



David B. Cohen
Mayor

CITY OF NEWTON, MASSACHUSETTS
Department of Planning and Development
Michael J. Kruse, Director

ATTACHMENT D

Telefax
(617) 796-1142

RECORD OF ACTION

DATE: May 16, 2007

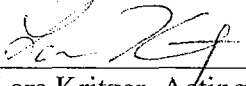
SUBJECT: 1235 Boylston Street – Certificate of Appropriateness – New Development

At the regularly scheduled meeting and public hearing on May 10, 2007, the Newton Upper Falls Historic District Commission, by a vote of 5 to 0,

RESOLVED to issue a preliminary approval for the plans as presented to the Commission subject to the further review of any changes to the design of the new structures or the configuration of the site and with the understanding that the existing house is to be repaired with in-kind materials. The following elements are exempt from this preliminary approval:

- Fencing;
- Lighting fixtures;
- The color design to be used on the permanent structures;
- The final design of the shelf detail on the gable ends of the new structures; and,
- The final selection of the doors and windows.

Voting In the Affirmative: Larry Schwirian, Chairman; Wendy Matthews, Jeff Riklin, Jonathon Sales, Beth Corr



Lara Kritzer, Acting Secretary



CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

Michael J. Kruse, Director

Telephone

(617)-796-1120

Telefax

(617) 796-1142

David B. Cohen

Mayor

RECORD OF ACTION

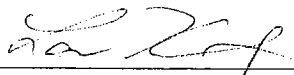
DATE: May 16, 2007

SUBJECT: 1235 Boylston Street – Certificate of Appropriateness – One-story addition

At the regularly scheduled meeting and public hearing on May 10, 2007, the Newton Upper Falls Historic District Commission, by a vote of 5 to 0,

RESOLVED to approve a Certificate of Appropriateness for the demolition of the 20th century, one-story addition located on the right façade of the existing Greek Revival style house at 1235 Boylston Street.

Voting In the Affirmative: Larry Schwirian, Chairman; Wendy Matthews,
Jonathon Sales, Beth Corr, Jeff Riklin



Lara Kritzer, Acting Secretary

Newton Upper Falls Historic District Commission

1000 Commonwealth Avenue, Newton, Massachusetts 02459

Email: lkritzer@ci.newton.ma.us

www.ci.newton.ma.us



David B. Cohen
Mayor

City of Newton, Massachusetts
Department of Planning and Development
Michael J. Kruse, Director
E-mail mkruse@ci.newton.ma.us

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NEWTON, MA
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(617) 796-1125
Telefax
(617) 796-1086

Newton Upper Falls Historic District Commission
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
NON-APPLICABILITY OR HARDSHIP

You live in a local historic district. A Certificate is required before obtaining any building permit or before proceeding with construction projects affecting the exterior of the property. Fill in the following information where applicable and submit to the Preservation Planner in the Planning and Development Department, Newton City Hall. Commissions meetings are held the 2nd Thursday of each month (except August).

I. ADDRESS 1235 Boylston ST

II. Applicant's Name ELLIS HEIGHTS REALTY TRUST Dino Rossi
Address 362 WATERTOWN ST NEWTON MA Phone # 617-969-0876
Property Owner * Donna S. Conell Marlene J. Carroll
Address 1235 Boylston St. Newton, MA Phone # 617-965-0184
Architect GILCO ASSOCIATES
Address _____ Phone # _____
Contractor S.P. VONA DEVELOPMENT
Address 77 OLDHAM Rd Newton MA Phone # 617-519-6908

III. TYPE OF STRUCTURE (Please Circle):

House ☒ Garage ☒ Shed ☐ Wall ☐ Fence ☐ Sign
Non-Residential Building ☐ Other ☐

PROPOSED WORK (Please circle):

☒ New Construction ☒ Demolition ☐ Addition ☐ Alteration
☐ Replacement ☐ Repair ☐ Other SPECIAL PERMIT

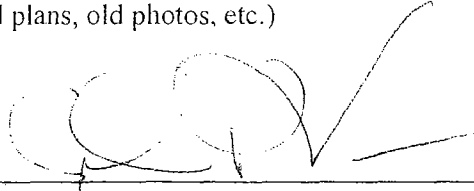
IV. DESCRIPTION OF WORK: (Statement of scope of work with specific information about materials, style, extent of work, etc. referencing plans and photographs if appropriate.)

- * REMOVE EXISTING GARAGE/SHED
- * REPAIR EXISTING HOUSE
- * NEW CONSTRUCTION OF ATTACHED DWELLINGS.

V. SUGGESTED DOCUMENTATION

- ☐ Photographs ☐ Site Plan
☐ Assessor's Map locating property ☐ Sketches
☐ Building plans, elevations, and sections
☐ Product/Material information – literature and specifications, brochures, photographs
☐ Historical Information (old plans, old photos, etc.)

VI. SIGNATURES

Owner or Authorized Agent 

I agree that the Commission may determine whether the application involves any exterior architectural feature subject to its approval at its meeting on _____

Applicants Please Take Note:

- 1) An approved Certificate shall expire **one year** from the time of issuance unless otherwise extended by the Commission.
- 2) If a Certificate is approved without a public hearing, approval is subject to a 10 day appeal period as per the City Ordinance governing Historic Districts.
- 3) Should the plans approved under this certificate be changed as a result of the issuance of other permits, including but not limited to Building permits, Special Permits, Street Opening Permits, and Utility Connection permits, the Commission shall be notified and a new plan presented for review prior to the commencement of construction.
- 4) Please notify the Commission upon completion of the changes included in this Certificate.

FOR COMMISSION USE ONLY

Date Completed Application Received 4/25/07

Date Notice Sent 4/26/07

Date of Hearing/Meeting 5/10/07

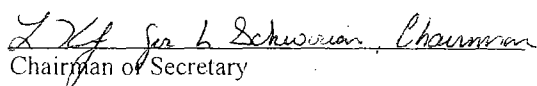
Date of Decision 5/10/07

ACTION: Accepted ✓ Denied _____

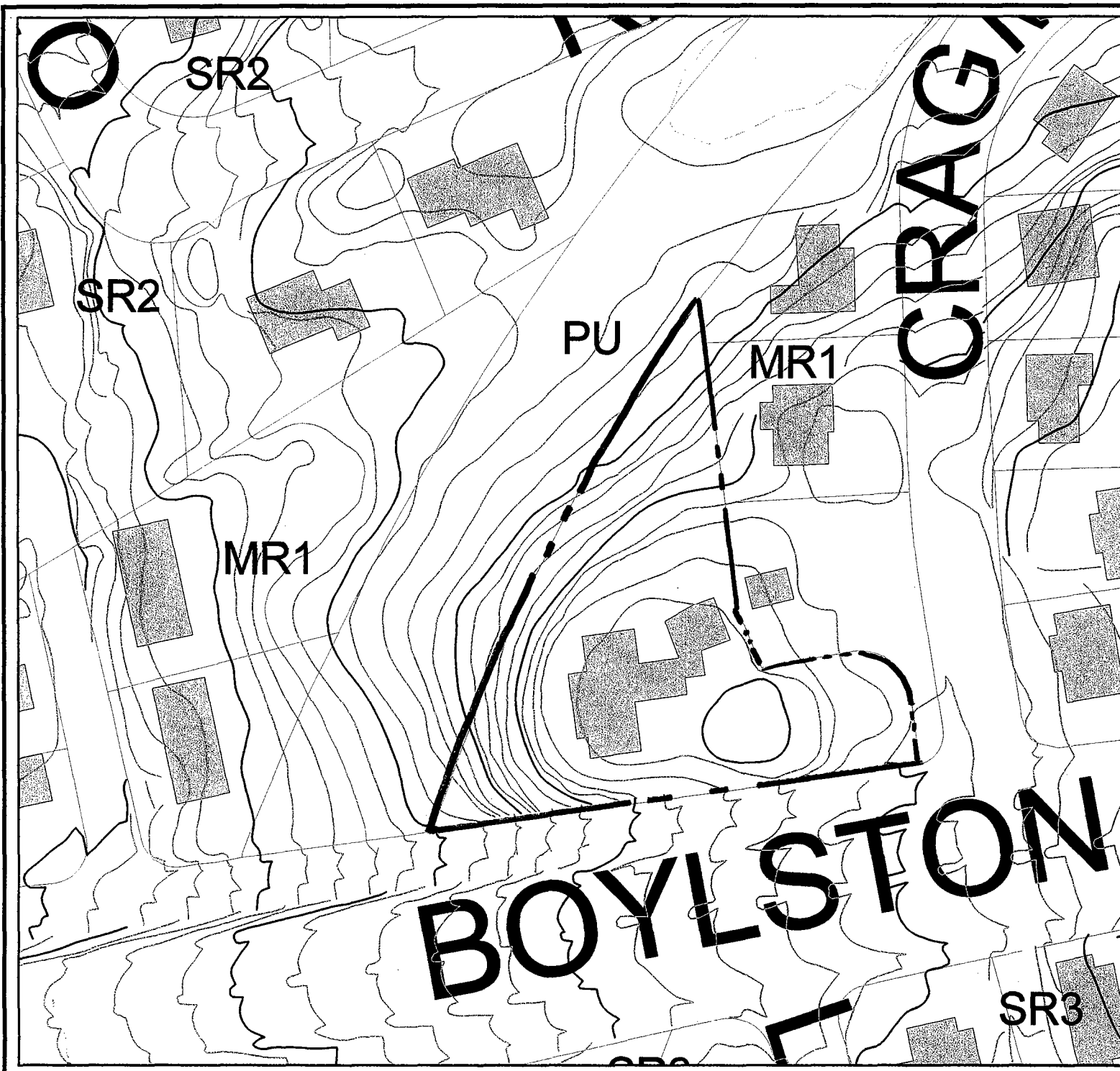
Reason for Action: See Record of Action

TYPE OF CERTIFICATE ISSUED

- ☐ Appropriateness
☐ Non-Applicability
☐ Hardship





Chairman or Secretary

Conditions: Preliminary Approval only subject to further review. see Record of Action











1235 BOYLSTON STREET

City of Newton

-  Newton Boundary
-  Property Boundaries
-  Buildings

Street Names

Contours (2 ft.)

-  Abutment/Culvert
-  Index Contour (10 Ft Interval)
-  Index Contour - Depression
-  Index - Uncertain
-  Interval Contour (2 Ft)
-  Interval - Depression
-  Interval - Uncertain
-  WALL

1" : 74.8'



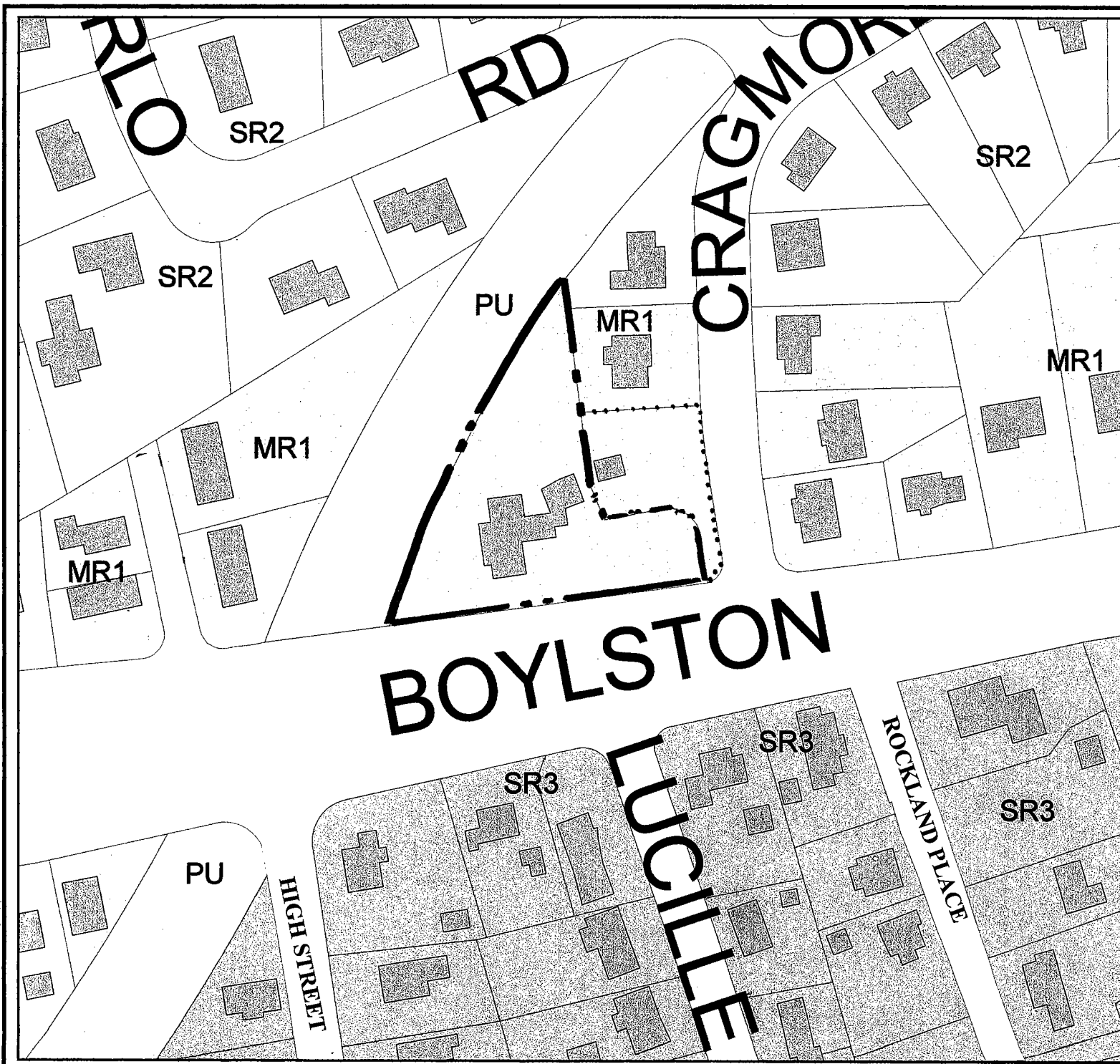
The information on this map is from a digital data base accessed using the Newton Geographic Information System (GIS). Newton cannot guarantee the accuracy of the information contained on this map. Each user of this map is responsible for determining its suitability for his or her intended use or purpose. City departments will not necessarily approve applications based solely on GIS. Applicants for city permits and licenses must inquire of the relevant city department for applicable requirements. City staff correct errors in these data as they are identified. Newton's GIS Administrator maintains records regarding the source materials and methods used to create the data and will disclose this information upon request.

DATA SOURCES (Not all necessarily apply to this map):
 Parcel boundaries compiled on 1970 1:1000 orthophoto base maps, building footprints and other information from Boston Edition (based on 1981 aerial photography); Newton staff have updated the buildings from building permits and parcel boundaries from subdivision plans. Thematic data (e.g., zoning, land use) are from the Assessor's CAMA database.



18-Dec

ATTACHMENT E

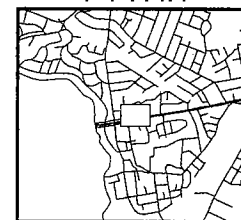


1235 BOYLSTON STREET

City of Newton

	Newton Boundary		Zoning Districts
	Property Boundaries		Single Res. 1
	Street Names		Single Res. 2
			Single Res. 3
			Business 1
			Business 2
			Business 4
			Business 5
			Lim. Manuf.
			Manuf.
			Multi-Res. 1
			Multi-Res. 2
			Multi-Res. 3
			Multi-Res. 4
			Mixed Use 1
			Mixed Use 2
			OS/Rec.
			Public Use
			Buildings

1" = 114.4'



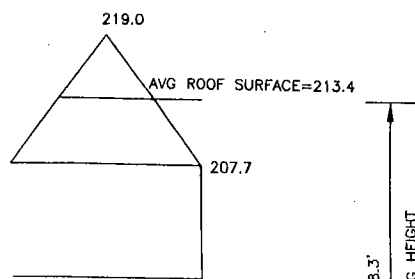
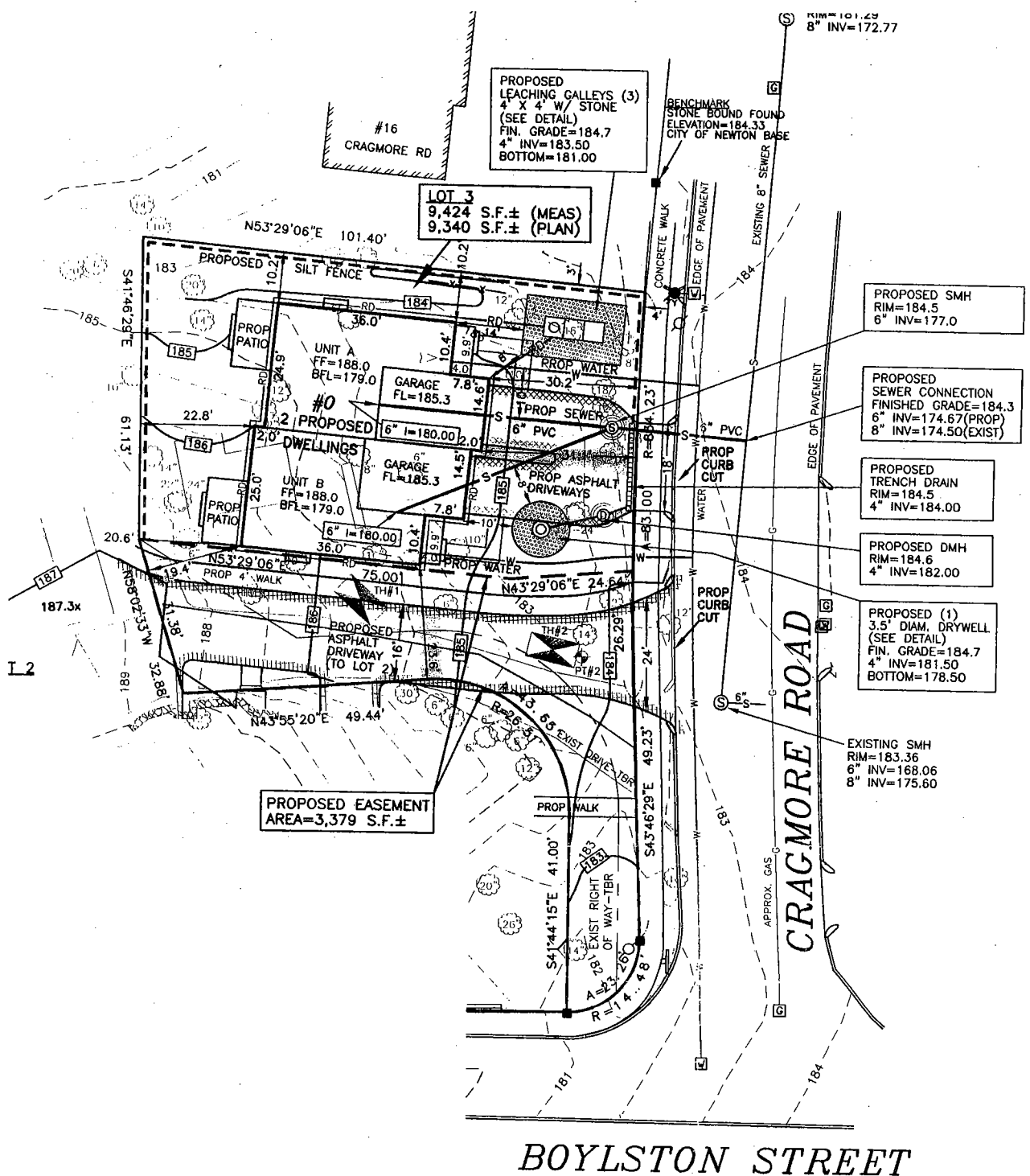
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DATA SOURCES (Not all necessarily apply to this map): Parcel boundaries compiled on 1976 & 1990 orthophoto base maps. Building footprints and other information from Boston Edison (based on 1991 aerial photos). Newton staff have updated the buildings from building permits and parcel boundaries from subdivision plans. Thematic data (e.g., zoning, land use) are from the Assessor's CAMA database.



15-Dec

ATTACHMENT F



ZONING INFORMATION

ZONE: MR-1

PLAN DATED: DECEMBER 16, 1940
APRIL 29, 1941

DEED REFERENCE: BOOK 19750 PAGE 456
BOOK 19747 PAGE 585

PLAN REFERENCE: BOOK 6497 PAGE 11

	EXISTING	PROPOSED	REQUIRED
BUILDINGS	305 S.F.	2,120 S.F.	
STRUCTURES	305 S.F.	2,120 S.F.	